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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/663,008	09/16/2003	Timothy James Held	126437	1756
7590 03/26/2007 John S. Beulick			EXAMINER	
Armstrong Teasdale LLP Suite 2600 One Metropolitan Square St. Louis, MO 63102			FREAY, CHARLES GRANT	
			ART UNIT	PAPER NUMBER
			3746	
SHORTENED STATUTOR	Y PERIOD OF RESPONSE	MAIL DATE	DELIVER	Y MODE
3 MONTHS		03/26/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

	Application No.	Applicant(s)				
	10/663,008	HELD ET AL.				
Office Action Summary	Examiner	Art Unit				
	Charles G. Freay	3746				
The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply						
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication. - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).						
Status		·				
Responsive to communication(s) filed on 12 J This action is FINAL . 2b) ☑ This Since this application is in condition for alloware closed in accordance with the practice under the second sec	s action is non-final. ince except for formal matters, pro					
Disposition of Claims						
4) Claim(s) 1-20 is/are pending in the application 4a) Of the above claim(s) 4-7, 11-13, 17-19 is/ 5) Claim(s) is/are allowed. 6) Claim(s) 1,8,9,14,15 and 20 is/are rejected. 7) Claim(s) 2,3,10 and 16 is/are objected to. 8) Claim(s) are subject to restriction and/or Application Papers 9) The specification is objected to by the Examine 10) The drawing(s) filed on is/are: a) accomposite and applicant may not request that any objection to the Replacement drawing sheet(s) including the correct 11) The oath or declaration is objected to by the Examine 11.	er. cepted or b) objected to by the drawing(s) be held in abeyance. Section is required if the drawing(s) is objected to by the drawing(s).	Examiner. e 37 CFR 1.85(a). jected to. See 37 CFR 1.121(d).				
Priority under 35 U.S.C. § 119						
 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 						
Attachment(s) 1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date	4) Interview Summary Paper No(s)/Mail Do 5) Notice of Informal F 6) Other:	ate				

DETAILED ACTION

Election/Restrictions

Applicant's election with traverse of species 1 in the reply filed on January 26, 2007 is acknowledged. The traversal is on the ground(s) that the species are related and the inventions have a similar field of search. This is not found persuasive because the only proper traversal of a species requirement is an admission that the species are obvious variants of one another

The requirement is still deemed proper and is therefore made FINAL.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 1, 8, 9, 14, 15 and 20 are rejected under 35 U.S.C. 102(a) as being clearly anticipated by Hellat et al (USPN 6,546,729).

Hellat et al discloses a gas turbine system having a compressor (10), a turbine (9), an annular combustor (8) having a front plate (2) with plural premixers (5) through it and plural adjustable damping tubes (7). The system operates by determining the oscillation behavior or excitation frequency (col. 4 line 58) of the combustor and then

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adjusting the frequency from the tubes (note the sentence spanning cols. 4 and 5). Further, dampers are designed as set forth in claims 8, 14 and 20 (note the last paragraph of col. 5).

Allowable Subject Matter

Claims 2, 3, 10 and 16 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. lasillo et al discloses a combustion system with an acoustic damper.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles G. Freay whose telephone number is 571-272-4827. The examiner can normally be reached on Monday through Friday 8:30 A.M. to 5:30 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ehud Gartenberg can be reached on 571-272-4828. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Primary Examiner
Art Unit 3746

CGF March 16, 2007